THE

South-Carolina GAZETTE.

[NUMB. 1823.]

THURSDAY, SEPTEMBER 13, 1770.

SOUTH-CAROLINA.

In the COMMONS HOUSE of ASSEMBLY, the 8th Day of *September*, 1770.

ORDERED,

THAT the two ſeveral Meſſages from His Majeſty's Council, of the 5th and 7th of April laſt, with the Reſolutions thereupon; the Meſſage of this Houſe to the Council, with a Copy of the ſaid Reſolutions; and the Council's Anſwer to the ſame; and all other Matters relative thereto, be printed and made public.

By Order of the Houſe,

THOMAS FARR, Jun. *Clerk*.

MESSAGE from His Majeſty's Council, returning the Tax-Bill.

Mr. Speaker and Gentlemen

IN Reading the Schedule to the Tax-Bill a ſecond time, we are much ſurprized to find the following Charge, *(to wit)* To Jacob Motte, Eſq; advanced by him to Mr. Speaker, Mr. Gadſden, Mr. Rutledge, Mr. Parſons, Mr. Fergusſon, Mr. Dart, and Mr. Lynch, by a Reſolution of the Houſe of the 8th of December laſt, £10500. which Sum appears by the ſaid Reſolution, to have been ordered to be advanced by the Public Treaſurer, out of any Money in the Treaſury, to be Paid into the Hands of the above Gentlemen, who were to Remit the ſame to Great-Britain, for the ſupport of the juſt and conſtitutional Rights and liberties of the People of Great-Britain and America.

It is by no means our wiſh or inclination, to draw into queſtion, any Points that may tend to weaken that Harmony and Confidence, which has of late ſo happily ſubſiſted between both Houſes, and which it is our daily Study to Cultivate and improve, but Gentlemen we muſt take heed, that in our Legiſlative Station, We do not Compliment One ſet of Virtues, at the expence of others, and it is our duty if poſſible, by a happy Combination, ſo to intermix and blend them, for the Public good, that in attending to one principle of Policy, We do not at the ſame time Violate another.

Fully ſenſible that We live under a kind and gracious Prince and are bleſsd with a Conſtitution, which has Perhaps arrived at as great a State of Perfection, as human Wiſdom can extend to, We cannot Perſuade ourſelves, that a grant of ſuch a Sum, is, in any ſenſe honourable, fit, or decent, not fit or honourable, as We conceive your Juriſdiction to grant, is local and meerly for Provincial Purpoſes, and not decent, as the Grant by the Tax Bill, to Anſwer the Eſtimate thereto Annexed, is expreſſly declared, to be to His Majeſty and yet contains a Proviſion which tacitly Affronts His Majeſty's Government, which has ever been, in our opinion gracious, mild, and good, to all his faithfull People.

We do not mean to enter into any ſtale altercations with you, on the diſputed Claims of both Houſes, on the Head of Money Bills, our ſole View is to apprize you, of a Difficulty which occurs to Us, on the face of the Eſtimate, and is likely to Prevent that concurrence, which is abſolutely neceſſary to give effect to the Bill before us, And We really apprehend, that whether We have or have not, a Right to alter or amend a Money Bill, Points which We will not agitate at Preſent, and which are indeed foregin to the Subject, in the way We treat it, Yet We perſwade ourſelves, that you never can expect us to give our ſanction to a Meaſure which cannot obtain the Approbation of our Hearts.

We Purpoſely Avoid to diſcuſs whether you can by dint of your own Authority, iſſue any Money out of the Treaſury without the Governors Conſent, or unleſs ſuch order is Purſuant to any ſtanding Law, And as on the One Hand, We Paſs no Judgment, whether His Honour in the firſt Inſtance, had a controuling Power over ſuch reſolution, in order to Prevent its operation and effect, ſo on the other, We will not ſupinely Reſt this Subject where it muſt ultimately land, in caſe We paſſed it over, leaſt according to an ingenious diſtinction of a Governor many Years ago, the Councils Concurrence ſhould be Conſtrued into an expreſs Advice of Council to the Governor to Paſs the ſame.

Upon the whole, We moſt ſincerely hope, that you will for the Sake of the Province, in tenderneſs to expecting Creditors, and to avoid thoſe many Evils which any delay in the diſcharge of Public Debts inevitably Produces, remove that obſtacle, which at Preſent ſets the Tax Bill at ſo great a diſtance from our Concurrence and Aſſent.

In the Upper-Houſe of Aſſembly
the 5th Day of April 1770

By Order of the Houſe,

OTH: BEALE.

MESSAGE from the Houſe, in Anſwer to the foregoing.

Honourable Gentlemen,

IN Order to avoid all Altercations and Difference with you, we return you your Meſſage of the 5th Inſtant, for your calm and ſerious Re-conſideration, together with the Tax-Bill that accompanied the ſame.

By Order of the Houſe,

April 7, 1770. PETER MANIGAULT, Speaker.

MESSAGE from His Majeſty's Council.

In the UPPER HOUSE of ASSEMBLY 7th *April* 1770

Mr. Speaker and Gentlemen

YOUR Determination not to differ with us, is perfectly agreeable, tho We can by no means think your Proceeding relative to our Meſſage is Parliamentary or Proper, We ſend you back the Meſſage and in that you ſee our Sentiments, to which We are determined firmly to Adhere.

By Order of the Houſe,

OTH: BEALE.

THURSDAY, the 16th Day of Auguſt, 1770.

The Houſe was moved, that the two ſeveral Meſſages from His Majeſty's Council to this Houſe, of the 5th and 7th of April laſt, with the Meſſage of this Houſe, of the 7th of the ſame Month, to the Council; and the Report of a Committee of this Houſe in the laſt Seſſion, on the ſaid Meſſages from the Council, and all Matters relative thereto, be read.

And the ſame were accordingly read.

Ordered, That a Committee of the following Gentlemen be appointed to conſider what Steps may be neceſſary for this Houſe to take, upon the ſeveral Meſſages from his Majeſty's Council to this Houſe, of the 5th and 7th of April laſt, and to report thereon to the Houſe, viz. Mr. Lynch, Mr. Lowndes, Mr. Gadſden, Mr. Rutledge, Colonel Laurens, Mr. Mackenzie, and Mr. Charles-Coteſworth Pinckney.

TUESDAY, the 21ſt Day of Auguſt, 1770.

Mr. Lynch reported from the Committee, appointed to conſider what Steps may be neceſſary for this Houſe to take upon the two ſeveral Meſſages from His Majeſty's Council to this Houſe, of the 5th and 7th of April laſt; and he read the Report in his Place, and afterwards delivered it in at the Table, where the ſame was read, and is as followeth, viz.

THE Committee, who was appointed to conſider what Steps will be neceſſary for this Houſe to take, upon the two ſeveral Meſſages from his Majeſty's Council to this Houſe, in the laſt Seſſion, of the 5th and 7th of April,

REPORT.

That they have coolly and deliberately conſidered the ſaid Meſſages, and are of Opinion, that the Houſe was induced, merely by their earneſt Deſire of Peace and Harmony, to return to the Council, for their calm Re-conſideration, their Meſſage of the 5th of April; but the Council returning the ſame unparlimentary, unprecedented and injurious Meſſage, and declaring, in a ſubſequent Meſſage, that they were determined firmly to adhere to the ſame: The Houſe can no longer, conſiſtent with the Duty they owe to their moſt gracious Sovereign, their Conſtituents, or their own Honour, defer clearing themſelves of the unjuſt Imputations contained in the ſaid Meſſage; and therefore have come to the following Reſolutions; ſolemnly proteſting, that the Injury to the Creditors of the Public, and all other Evils and Miſchiefs which attend a Difference between the Council and Aſſembly, can by no Means be charged to this Houſe.

Reſolved, That it is the Opinion of this Committee, that the ſaid Meſſage is unparliamentary and unprecedented; that the Charges brought againſt the Privileges and Proceedings of this Houſe, are altogether groundleſs, unſupported by Truth or Juſtice, and manifeſtly calculated to draw upon his Majeſty's faithful Subjects, the Commons Houſe of Aſſembly, the heavy Diſpleaſure of their Sovereign, and to render them odious and contemptible to their Conſtituents, and to the reſt of their Fellow-Subjects.

Reſolved, That it is the Opinion of this Committee, that it cannot, conſiſtent with Truth, Juſtice, or Decency, be aſſerted or inſinuated, that the Act of this Houſe, upon which the ſaid Meſſage is founded, was, or is in any Senſe, diſhonourable, unfit, or indecent.

Reſolved, That it is the Opinion of this Committee, that it is inconſiſtent with Truth or Juſtice, and tends greatly to Sedition, to aſſert or inſinuate, that this Houſe hath been wanting in Decency to his Majeſty, their moſt gracious Sovereign, to whom the Houſe, and every Member thereof, have borne, do and always will bear, that Faith, Allegiance and Affection, which is due to ſo excellent a Prince.

Reſolved, That it is the Opinion of this Committee, that it is altogether contrary to Truth, and to the undeniable Privileges of this Houſe, to aſſert or inſinuate, that it has not Power to give and grant to his Majeſty, Money, for any other Purpoſes than thoſe which are merely local or provincial; and that even the Excuſe of Ignorance muſt fail his Majeſty's Council upon this Occaſion, inaſmuch as every one of them muſt, and do know, that Monies for other Purpoſes have been very often granted to his Majeſty by this Houſe, and, in many Inſtances, at the particular Requeſt of his Majeſty, and of his Governors.

Reſolved, That it is the Opinion of this Committee, that by the Denial of the Right of this Houſe, to give or grant to his Majeſty, ſuch Sums of Money as the Exigencies of State may require, and which their Zeal for his Majeſty's Service, will always induce the Houſe to extend to the utmoſt Abilities of their Conſtituents, the Council muſt have intended to ſhew a Neceſſity for the Interpoſition of ſome Power to raiſe Money upon the Inhabitants of this Province, other than their own Repreſentatives; and conſequently this ſeditious Doctrine muſt manifeſtly tend to increaſe the Diſcontents which have but too long ſubſiſted in his Majeſty's American Dominions.

Reſolved, That it is the Opinion of this Committee, that this Houſe have, at all Times, when thought neceſſary, (of which the Council cannot be ignorant, as it appears every Year upon the Face of the Treaſurer's Accounts) exerciſed a Right of borrowing Monies out of the Treaſury, all which they have faithfully and punctually repaid; which Right no Governor has ever controuled.

Reſolved, as the Opinion of this Committee, that it is a groſs Inſult to his Majeſty, to aſſert, that a Grant of Money for the Support of the juſt and conſtitutional Rights and Liberties of the People of Great-Britain and America, can be conſtrued to be diſreſpectful or affrontive to his Majeſty, the great Patron of the Liberty and Rights of all his Subjects.

Reſolved, That it is the Opinion of this Committee, that the Paragraph of the Meſſage, which relates to a former Governor taking the Concurrence of the Council, for their Advice to paſs a Bill, ſerves to prove in the cleareſt Manner the DUPLICITY of thoſe Members of his Majeſty's Council, who could in their Legiſlative Capacity paſs a Bill, which they as a Privy-Council intended to adviſe the Governor to reject, and cannot fail to prove to his Majeſty the Inconſiſtency and Abſurdity of their acting in that double Capacity; *and we hope will induce our gracious Sovereign to bleſs this Province with an Upper Houſe, diſtinct from the Privy Council, and compoſed of independent Men.*

Your Committee recommend to the Houſe, that the foregoing Reſolutions be entered on the Journals, and that a Copy of the ſame be ſent to his Majeſty's Council.

Ordered, That the ſaid Report be taken into Conſideration To-morrow Morning.

WEDNESDAY, the 22d Day of Auguſt, 1770.

The Houſe (according to Order) proceeded to take into Conſideration the Report of the Committee, appointed to conſider what Steps may be neceſſary for this Houſe to take, upon the two ſeveral Meſſages from His Majeſty's Council to this Houſe, of the 5th and 7th of April laſt.

And the ſaid Report being read, Paragraph by Paragraph, was agreed to by the Houſe.

Ordered, That a Meſſage be prepared to be ſent to His Majeſty's Council, with the Report of the Committee, appointed to conſider what Steps may be neceſſary for this Houſe to take, upon their two ſeveral Meſſages to this Houſe, of the 5th and 7th of April laſt, as agreed to by the Houſe.

THURSDAY, the 23d Day of Auguſt, 1770.

According to Order, the following Meſſage was prepared to be ſent to His Majeſty's Council; which being read a ſecond Time, was agreed to:

Honourable Gentlemen,

THIS Houſe was prevented, by the Prorogation, from giving any Anſwer to your Meſſage of the 5th and 7th of April laſt: But thoſe Meſſages being of a very extraordinary Nature, the Houſe have, ſince their Meeting, thought themſelves bound to take the ſame into Conſideration, and have come to ſeveral Reſolutions thereupon, which we herewith ſend you.

By Order of the Houſe,

Aug. 23, 1770. PETER MANIGAULT, Speaker.

Ordered, That Mr. Williamſon and Mr. Waring, do carry the Meſſage to the Council.

WEDNESDAY, the 29th Day of Auguſt, 1770.

MESSAGE from His Majeſty's Council, by the Maſter in Chancery, viz.

Mr. Speaker and Gentlemen

THE Reſolutions which accompanied your Meſſage of the 23d. Inſtant, contain ſuch unmerited and injurious Reflections, that it becomes our indiſpenſible duty to give them a full Anſwer, and thereby to Vindicate the Honor and Maintain the dignity, of this juſtly offended Houſe.

We apprehend that the Charge of an Unparliamentary and unprecedented Proceeding, is alone imputable to your Houſe, the Evidence whereof, Ariſes from that cool and deliberate Conſideration, which induced you to Return to Us, for our Calm Re conſideration, our Meſſage of the 5th. of April, This Step was a groſs inſult on our underſtanding, and an implied Contempt of our Proceedings, for in the Common intercourſe of the World, a letter Returnd carries an affront, and a letter unanſwered eſtabliſhes the Breech.

We are at a loſs to diſcover, upon what foundation you ſo Preciſely aſſert, that our Meſſage of the 5th. of April, is Unparliamentary and unprecedented, The Tax Bill and Schedule at that time lay before us for a more Valuable Purpoſe We truſt you will allow, than for a blind Concurrence, and upon Reading the ſame, We diſcovered that a Sum of Ten thouſand five hundred Pounds, had been iſſued out of the Treaſury by an Order of your Houſe only, and on further enquiry that the ſame had been Remitted to England, and a little lapſe of time has given us to underſtand, that this Sum has been Paid into the hands of a Set of People, who have been daily diſturbing the Repoſe, and Embaraſſing the Councils of the beſt of Princes Alarm'd at this unprecedented Gift, and apprehending that the People of this province ought not to be Taxd, and the Money drawn out of the Treaſury, by an Order of one Houſe for any Specious Pretences whatſoever, We did accordingly ſend a Meſſage on the Subject, expreſſing like faithfull Guardians of the Public Treaſure, our diſapprobation of, and diſſent from ſuch an ill adviſed, and unbecoming Meaſure our Proceedings therefore Prove, that we Merely oppoſed an injurious a Grant the Confirmation whereof, might Probably draw upon you thoſe evils which your Houſe are of Opinion our Meſſage alone was Calculated to Produce.

It is Matter of Aſtoniſhment to Us, that by your Second Reſolution you ſo flatly deny the truth of our Aſſertion, in any Sence, and in the face too of our Gracious Sovereigns declared Opinion of the Meaſure, in a late Inſtruction to His Governor, which you have been Poſſeſſed of for Ten days Paſt,—Wherein his Majeſty Recites, the Act of your Houſe, which he in his Royal Judgment, Conſiders as a dangerous and unwarrantable Practice, and an unconſtitutional Application of his Treaſure, it therefore Appears Evident to us that what is dangerous, unwarrantable, and unconſtitutional, muſt alſo be in a certain Degree at leaſt, Diſhonorable, Unfit, or indecent, and muſt Conſequently induce an Opinion, which under ſuch Circumſtances, can never be Conſidered as ſeditious, tho' your third Reſolution terms it ſo, that the Houſe has been wanting in decency to His Majeſty, for it is not a Pomp and Parade of Sounding Words, but Eſſential, Operative, Active and Subſtantial Endeavours, to Render Services to our Sovereign, which are the true Chaſte and genuine Signs, Whereby We may know that we do in very truth, bear that faith Allegiance, and Affection, which is due to ſo excellent a Prince.

For Anſwer to your 4th. and 5th. Reſolutions, We muſt Obſerve that we only Aſſerted, that your Juriſdiction to Grant is local, and for Provincial Purpoſes, but it is too ſtrain'd a Concluſion, to gather from thence, that we deny your Right to grant Aids to the King, upon a general Principal, As We all certainly know that you have ſometimes Regarded a Royal Requiſition, and ſometimes been Pleaſed to over look it; the Right is implied, is neither Queſtiond, nor doubted by us, And whenever a fit Occaſion ſhall ariſe, to give you clearer Evidence than Words that We avow your Right in this Particular, you ſhall find a Ready and hearty Concurrence on our Parts, to a Grant of Monies to the King, for Real Services, which is a Caſe widely different to a Grant of Monies, which we know have been depoſited in the Hands of a Society of Men, who have not yet as we can learn given you for your liberality, the Poor Returns of Unavailing Thanks.

We are happy to find, that our Idea of your Power as expreſſed in your Meſſage, is Confirmed by the King himſelf, in the Inſtruction above Referrd to,—whereby his Majeſty forbids his Governor, to give his Aſſent to any Bill by which any Sum of Money ſhall be Appropriated to, or Proviſion made for defraying any expences incurrd, for Services or Purpoſes not immediately ariſing within or incident to this Province, unleſs upon Special Requiſion from His Majeſty his Heirs and Succeſſors, And tho we have abundant Reaſon to triumph in a Sentiment ſo exactly Correſponding with our own, yet as the Act of this Houſe which has given you offence, was grounded upon a Clear and undeniable fact, We mean Rather to Rely on the undiſputable force of the Arguments flowing from it, than on the Royal Apprehenſion of the Caſe, which Circumſtance, tho flattering in it's Nature, We do not Particularly inſiſt on, becauſe our own Judgment firſt Suggeſted the impropriety, of the Meaſure adopted by your Houſe.

By your Sixth Reſolution, you Remind us that you have at all times when thought neceſſary, exerciſed a Right of borrow-

ing Monies out of the Treasury, which Right no Governor has ever Contrould, Public Rights Gentlemen, cannot be Extinguished, because they are sometimes suffered to lie dormant, neither does a Prudent, and Sometimes a Necessary Relaxation of Power, or an Occasional indulgence from the Rigour of it, confir any Claim to a Continuance of the Practice, so as to Prevent the Revival and exercise of a Clear original Right, if your Grants have at any time been as irregular as that which is now the Subject of Dispute, you might have been Contrould by the Kings Twenty second Instruction, as enterd in the Council Journals, the Governor is directed not to Suffer any Public Money whatsoever to be issued, and disposed of, otherwise than by Warrant under his Hand, by and with the Advise and Consent of the Council.

We have in Substance answerd your Seventh Resolution, but as the same charges, that it is a gross insult to His Majesty, to Assert what is thereby Stated, it behoves us in an especial Manner, to Remove the Reproach which is cast upon this House, a Voluntary Grant for such a Purpose, through such a Channel, is in our opinion an Affront to Government, without Enlarging upon the Reasons of it, because the King has not apprized you, that the State is in any danger, he has Required no Aids from you to Maintain his Royal Dignity at Home, or Support his influence abroad, he hath Signified no apprehensions, that he shall stand in need of Succours, neither hath he expressd a single Wish for Money, to Support the Just and Constitutional Rights, and Libertys of Great-Britain and America, And Gentlemen you cannot be ignorant, that it is his Majestys daily labour, to norish the Root of all our Libertys, together with its branches, we therefore think that his Majesty the Great Pattron as you justly observed, of the Liberty and Rights of all his Subjects, may well be trusted with the Care and Guardianship of those inestimable blessings, and that Confideing in his Royal Endeavours, we may Retain our Monels, for the Present, and more usefully apply them to the establishing of Schools, in the Remote Settlements, in Granting Bountys on certain Articles of Commerce, and bringing to Maturity, Plans for the future aggrandizement, and Welfare of this Prosperous Province.

By your last Resolution, you certainly mistake the sense of the Paragraph in our Message, which you Refer to, for it only states the distinction of a former Governor, who by a happy Construction, would Willingly have Perswaded himself, that the Passing the Bill by the Council, in their Legislative Capacity, implied also an Advice in their other Station to him as Governor, to give his Assent to the same, We know of no duplicity, and we hope you will never have Reason to charge us with such a Species of Offence, and therefore we send you a Plain and distinct Answer to your extraordinary Resolutions, as a Specimen of our Candour and of that firm and determined Resolution, on our Parts, which will make us Superior, to the Mean Views of Violateing your Rights, or tamely yielding to direct trespasses on ours.

Upon the whole of this disagreeable Subject, we cannot but be of Opinion, that your Resolutions are ill bottomd, and that they are fully and clearly Answerd, And we do in our turn likewise, Solemnly Protest that the injury to the Creditors of the Public, and all other evils and Mischeifs which Attend a Difference between Us, arise from that single Act of your House, issuing Ten Thousand five hundred Pounds out of the Treasury, by your own Order, which we could never Reconcile to ourselves, so as to Participate with you, in any Honor or Disgrace which might Attend the Act. An Act, which we do not Perceive One single House of Representatives on this Vast Continent, with all their Struggles for Liberty, have been induced to adopt, An Act which the King himself has severely called in Question; and which in our Opinion, all Considerate, and dispassionate men, must for ever disapprove.

In the Upper House of Assembly
the 15th Day of August 1770
By Order of the House
OTH: BEALE.

Ordered, That the said Message do lie upon the Table.

Wednesday, the 5th Day of September, 1770.

Ordered, That a Committee of the following Gentlemen be appointed, to consider what Steps may be necessary for this House to take, on the Subject-Matter of the Message from His Majesty's Council to this House, of the 29th Day of August last, which was then ordered to lie upon the Table, and to report their Opinion thereon to the House, viz. Mr. Lynch, Mr. Lowndes, Mr. Gadsden, Mr. Rutledge, Mr. Mackenzie, Colonel Laurens, and Mr. Charles-Cotesworth Pinckney.

Ordered, That a Message be prepared, to be sent to His Majesty's Council, to inform their Honours, that this House being desirous to finish the Business of the Session, therefore to desire that their Honours will expedite the Tax-Bill, and Ordinance for appointing a Treasurer of this Province, which were sent to them.

Accordingly the following Message was prepared; which being read a second Time, was agreed to:

Honourable Gentlemen,

THIS House being desirous to finish the Business of the present Session as soon as possible: We desire your Honours will expedite the Tax-Bill, and Ordinance for appointing a Treasurer of this Province; which were sent to you by this House some Time ago.

Order of the House,
Sept. 5, 1770. PETER MANIGAULT, Speaker.

Ordered, That Mr. Bee and Mr. Waring do carry the Message to the Council.

Thursday, the 6th Day of September, 1770.

Mr. Lynch reported from the Committee, to whom the Message from His Majesty's Council to this House, of the 29th of August last, was referred: And he read the Report in his Place, and afterwards delivered it in at the Table; where the same was read, and is as followeth:

THE Committee, to whom the Council's Message, of the 29th of August last, was referred,

REPORT.

That they have carefully read and considered the said Message, and in so far, as they were able to understand the same, find it to consist only of vain Attempts, to explain away the obvious Meaning of their own Words, and a Repetition of the Assertions contained in their first Message, unsupported either by Evidence or Argument. The Committee are therefore of Opinion, that the Message requires no Answer.

But as their Honours seem to plume themselves much upon the late Additional Instruction, and have stiled themselves the faithful Guardians of the public Treasure, it may be proper to enter on the Journals of the House, Resolutions to the following Effect:

Resolved, That the Additional Instruction, sent to the House on the 16th of August last, was founded on a Misapprehension of the Proceedings of this House; and that even had it been otherwise, yet with all Deference and Respect to his Majesty's Ministers, this House asserts and declares, that the House is the sole and absolute Judge of its own Rights and Privileges.

Resolved, That the good People of this Colony, have the sole and absolute Disposal of their own Money; and their Representatives, to whom they delegate their Right and Power, are the only Guardians of the public Treasure; and that the Council stiling themselves such, is absurd and ridiculous.

Resolved, That the said Report be taken into Consideration immediately.

And the said Report being read a second Time, was agreed to by the House.

Friday, the 7th Day of September, 1770.

MESSAGE from His Majesty's Council, by their Clerk, viz.

In the Upper House of Assembly the 7th *Sept.* 1770.

Mr. Speaker and Gentlemen

ON the first reading of the Tax-Bill, and Schedule, we found that the Charge of Ten Thousand Five hundred Pounds issued by an Order of your House only, for a Strange and Extravagant Purpose, was again intruded upon us, Notwithstanding the Public Debts had been heretofore postponed on Account of that objection, and no possible hope or Expectation could remain with your House, that the Creditors of the Province could be Paid, untill that obstacle should be effectually removed.

This House fully persuaded, that no Additional arguments from them could serve any valuable Purpose, his Majesty's Royal Sense of the Matter as disclosed in his late Instruction to His Governor, being totally disregarded, by your House, we concluded, that nothing was to be expected either from your Wisdom or your Prudence, and therefore to shew a becoming Spirit on our Part, and to maintain as far as we were able the Kings Authority and our own Honour, we did Unanimously reject the Tax Bill on the first Reading thereof. And the Ordinance Appointing a Treasurer having undergone some Material Alterations by Us, which were most apparently Calculated as well for the Benefit of every Individual, as for the Public in general, and your House disagreeing with such salutary Amendments, We did likewise Unanimously reject the said Ordinance.

By Order of the House.
OTH: BEALE.

SOUTH-CAROLINA.

In the Commons House of Assembly, the 8th Day of *September*, 1770.

ORDERED,

THAT the Lieutenant-Governor's Message to this House of the 15th of August last, with His Majesty's additional Instruction to the Governor of this Province; the two Messages from this House to the Lieutenant-Governor, of the 22d and 30th of August, and His Honour's Answer thereto; with the Report on His Majesty's additional Instruction; the Message from this House to the Lieutenant-Governor of Yesterday, and His Honour's Answer thereto, be printed and made public.

By Order of the House,
THOMAS FARR, Jun. Clerk.

Thursday, the 16th Day of August, 1770.

MESSAGE from the Lieutenant-Governor, by the Master in Chancery, viz.

Mr. Speaker and Gentlemen,

IN Obedience to the King's Commands, I communicate to you a Copy of his Majesty's additional Instruction to the Governor of this Province, which I have lately received, and which I think it my Duty to lay before you as early as possible this Session.
August 15, 1770. *WILLIAM BULL.*

COPY. *Additional Instruction to our trusty and well-beloved* CHARLES-GREVILLE MONTAGU, *Esq; commonly called Lord* Charles-Greville Montagu, *our Captain-General, and Governor in Chief of our Province of* South-Carolina, *in* America; *or, in his Absence, to the Lieutenant-Governor, or Commander in Chief of our said Province for the Time being. Given at our Court at* St. James's, *the 14th Day of* April, 1770, *in the Tenth Year of our Reign.*

GEORGE R. (L.S.)

WHEREAS it hath been represented to us, that our House of Representatives, or Lower House of Assembly of our Province of *South-Carolina* in *America*, have *lately* assumed to themselves a Power of ordering, without the Concurrence of our Governor in Council, the Public-Treasurer of our said Province to issue and advance, out of the Public Treasury, such Sums of Money, and for such Services, as they have thought fit: And, in particular, that the said Lower House of Assembly did, on the 8th Day of December last past, make an Order upon the said Public-Treasurer, to advance the Sum of *Ten Thousand Five Hundred Pounds* Currency, out of any Money in the Treasury, to be paid into the Hands of Mr. Speaker, Mr. *Gadsden*, Mr. *Rutledge*, Mr. *Parsons*, Mr. *Ferguson*, Mr. *Dart*, and Mr. *Lynch*, who were to remit the same to *Great-Britain*, for the Support of the just and constitutional Rights and Liberties of the People of *Great-Britain* and *America*.

And whereas it is highly just and necessary, that the most effectual Measures be pursued for putting a Stop to such dangerous and unwarrantable Practices; and for guarding for the future against such unconstitutional Application of our Treasure, cheerfully granted to us by our Subjects in our said Province of *South-Carolina* for the public Uses of the said Province, and for Support of the Government thereof: It is therefore our Will and Pleasure, and you are hereby directed and required, upon Pain of our highest Displeasure, and of being forthwith removed from your Government, not to give your Assent to, any Bill or Bills, that shall be passed by our said Lower House of Assembly, by which Bill or Bills, any Sum or Sums of Money whatsoever shall be appropriated to, or Provision made for, defraying any Expence incurred for Services or Purposes not immediately arising within, or incident to our said Province of *South-Carolina*, unless upon special Requisition from Us, our Heirs, and Successors; nor to any Bill or Bills, for granting any Sum or Sums of Money to Us, our Heirs and Successors, in which Bill or Bills it shall not be provided in express Words, that the Money so to be granted, or any Part thereof, shall not be issued or applied to any other Services, than those to which it is by the said Bill or Bills appropriated, unless by Act or Ordinance of the General Assembly of our said Province. And it is our further Will and Pleasure, and you are hereby directed and required, upon Pain of our highest Displeasure, as aforesaid, not to give your Assent to any Bill or Bills, that shall be passed by our said Lower House of Assembly, as aforesaid, by which any Sum or Sums of Money whatever shall be granted to Us, our Heirs and Successors, generally and without Appropriation, unless there be a Clause or Clauses inserted in the said Bill or Bills, declaring and providing, that the said Money, so to be granted, shall remain in the Treasury, subject to such Appropriation as shall thereafter be made by Act or Ordinance of the General Assembly, and not otherwise. And it is our further Will and Pleasure that you take special Care, that in all and every Bill and Bills so to be passed by you, as aforesaid, for raising and granting public Monies, a Clause or Clauses be inserted therein, subjecting the Public-Treasurer, or any other Person or Persons, to whose Custody public Monies may be committed, in Case or they shall issue or pay any such Money otherwise than by express Order contained in some Act or Ordinance of the General Assembly, to a Penalty in treble the Sum so issued contrary thereto, and declaring him or them to be, *ipso facto*, incapable of holding the said Office of Treasurer or any other Office civil or military within our said Province. And, it is our further Will and Pleasure that this, our additional Instruction to you, be communicated to our Council, and Lower House of Assembly of our said Province of *South-Carolina*, and entered upon the Council Books. G. R.

Ordered, That a Committee of the following Gentlemen, be appointed to take into Consideration His Honour the Lieutenant-Governor's Message to this House, with His Majesty's additional Instruction to the Governor or Commander in Chief of this Province, which accompanied the said Message, and report their Opinion thereon to the House, viz. Mr. Lynch, Mr. Lowndes, Mr. Gadsden, Col. Laurens, Mr. Rutledge, Mr. Mackenzie, and Mr. Charles-Cotesworth Pinckney.

Tuesday, the 21st Day of August, 1770.

Ordered, That a Message be prepared to be sent to the Lieutenant-Governor, to desire that His Honour will be pleased to lay before this House, Copies of any Representation made to His Majesty, or his Ministry, upon which His Majesty's Instruction is founded, by His Honour, or the Council; such Information being necessary to enable this House to go fully into the Consideration of the said Instruction.

Wednesday, the 22d Day of August, 1770.

According to Order, the following Message was prepared to be sent to the Lieutenant-Governor, which being read a second Time, was agreed to.

May it please your Honour,

HIS Majesty's additional Instruction, which Your Honour was pleased to lay before this House on Thursday last, being founded on a Representation of the Conduct of this House, made to His Majesty, or His Ministry: And the House being of Opinion, that an Instruction of such Importance, ought to be founded only upon Representations of the utmost Authenticity, and from the best Authority; we therefore desire, that Your Honour will be pleased to lay before this House, Copies of any Representation upon this Subject, which has been made to His Majesty, or his Ministers, by Your Honour, or the Council; such Information being absolutely necessary, to enable the House to go fully into the Consideration of the said Instruction.

By Order of the House,
Aug. 22d, 1770. PETER MANIGAULT, Speaker.

Ordered, That Mr. Lloyd, and Mr. Sheed, do wait on the Lieutenant-Governor, with the Message.

Thursday, the 23d Day of August, 1770.

A Message from the Lieutenant-Governor, by the Clerk of the Council, viz.

Mr. Speaker and Gentlemen,

IN Answer to your Message of Yesterday, desiring me to lay before you, Copies of any Representation relative to the Subject of the late Royal additional Instruction now before you, which have been made by me, or the Council;——I acquaint you that I know of none that has been made by the Council, and as it is the known and a principal Duty, of the Governor to represent to his Majesty, by his Ministers, all such public Transactions in the Province, as deserve the Royal Notice according to the King's Instructions, I have always endeavoured to discharge this Duty with Punctuality, Moderation, and the strictest Regard to Truth: But I shall think myself guilty of the highest Presumption, Disrespect, and Breach of the Royal Trust and Confidence, were I, without the King's Permission, to lay before you any Letter I may have written upon that Subject: Whenever that is obtained, I shall with great Readiness obey the Royal Pleasure. *WILLIAM BULL.*
August 23, 1770.

Wednesday, the 29th Day of August, 1770.

Mr. Rutledge reported from the Committee, to whom His Majesty's additional Instruction, and His Honour the Lieutenant-Governor's Messages, relative thereto, were referred; and he read the Report in his Place, and afterwards delivered it in at the Table; where the same was read, and is as followeth, viz.

THE Committee, to whom his Majesty's additional Instruction, and his Honour the Lieutenant Governor's Messages, relative thereto, were referred,

REPORT,

That they have considered the several Matters referred to them, and, tho' they cannot but lament that his Honour should think the Correspondence between himself and his Majesty's Ministers, in a Matter which concerns the Privileges and Proceedings of this House, so secret and confidential, as to refuse a full Compliance with their just and reasonable Request, without the Royal Leave; yet, your Committee are of Opinion, that the House should immediately proceed to acquit themselves of the Charge contained in the said Instruction. They have therefore come to the following Resolutions, which they recommend to the House, as proper to be adopted upon this Occasion, previously declaring, that the Lieutenant-Governor's Answers are not so satisfactory as the House had a Right to expect, and that the same be not hereafter drawn into Precedent, as it may be of most dangerous Consequence.

Resolved, That it is the Opinion of this Committee, that this House hath an undoubted Right, which they have at all Times exercised, to give and grant Money to his Majesty, with or without a Requisition from the Crown, for any Purposes whatsoever, whether local and provincial or not, whenever they think it necessary, or expedient for his Service, of which they are the sole Judges.

Resolved, That it is the Opinion of this Committee, that in order to provide such Money, the House hath a Right, upon emergent Occasions, and when the Money is immediately wanted, to borrow it upon the public Faith and Credit, solemnly pledged by a Resolution of the House, to make good, and repay the Money so borrowed; and that the House hath exercised this Right whenever they have thought proper.

Resolved, That it is the Opineon of this Committee, that the House hath, in such Cases, ordered the public Treasurer to advance the said Money, who hath accordingly done so upon the Resolution of the House to make good the same, and that Provision for repaying it to him hath always been made by the Tax-Acts, which Measure cannot be unknown to the Lieutenant Governor, whose Sanction, as well as that of his Predecessors, it has often received.

Resolved, That it is the Opinion of this Committee, that the Order and Resolution of the House on the 8th Day of December last (the said Order being never considered by this House but merely as a Vote of Credit) are not unconstitutional, but are able to the Usage and Practice both antient and modern, of the Commons House of Assembly of this Province; that the public Treasurer having advanced the Money mentioned in the said Order, in Pursuance thereof, on the Resolution of this House to repay the same, did in his Account charge it to the Public, and not to any particular Fund; and that in the Schedule to

Tax-Bill, the House inserted the Treasurer's Name, as a Creditor of the Public for that Sum, intending to repay it in the usual Manner.

Resolved, That it is the Opinion of this Committee, that the House hath never attempted, by its single Authority, without the Concurrence of the Governor or Council, to issue out of the Treasury, Money appropriated by Laws, and apply the same to other Purposes than those for which it was granted.

Resolved, That it is the Opinion of this Committee, that the Order and Resolution of this House on the 8th Day of December last, cannot be deemed dangerous or unwarrantable; that the same would not have been so represented, or the Power of this House, on that Point, drawn into Question, if the Money borrowed had not been applied towards frustrating the unjust and unconstitutional Measures of an arbitrary and oppressive Ministry: And, His Honour the Lieutenant-Governor, having assured the House, that all his Representations to His Majesty by his Ministers, are made with the strictest Regard to Truth;

Resolved therefore, that it is the Opinion of this Committee, that the said Instruction cannot be supported by such Information, but is founded upon a false, partial, and insidious Representation of the Proceedings of this House; false, in asserting that the House had *lately* assumed a Power, when, in Truth, they only exercised an ancient Right, supported by constant Usage; partial, in concealing its Resolution to repay the Money borrowed; and insidious, in artfully insinuating, that the House had directed an unconstitutional Application of the public Treasure *granted* to His Majesty, in ordering, by its single Vote, without the Concurrence of Governor or Council, Money appropriated by Law, to be applied to other Purposes; and, that the Censure contained in the said Instruction, is altogether unmerited.

Resolved, That it is the Opinion of this Committee, that the Clauses and Provisions, in the said Instruction, relating to the Appropriation of such Monies as shall be granted by this House, are unnecessary; every Law which grants Money sufficiently securing the Appropriation thereof: And as many Evils might arise to the Province from inserting the Clauses relative to the Treasurer, your Committee think the House should not submit thereto.

Resolved, That it is the Opinion of this Committee, that a Minister's dictating how a Money-Bill shall be framed, is an Infringement of the Privileges of this House, to whom alone it belongs to originate and prepare the same, for the Concurrence and Assent of the Governor and Council, without any Alteration or Amendment whatsoever.

Resolved, That it is the Opinion of this Committee, that whosoever made the false, partial, and insidious Representation, upon which the said Instruction is founded, and advised such Instruction, are guilty of high Misdemanours, and Enemies to His Majesty and the Province.

And, your Committee recommend, that a Copy of these Resolutions be sent to His Honour the Lieutenant-Governor; and that the Agent be instructed to represent this Matter to His Majesty, in its true and proper Light; undeceive our most gracious Sovereign; and convince him, how much he has been imposed on, by Misinformation; thereby to avert the King's Displeasure from his dutiful and loyal Subjects, the Commons House of Assembly of this Province.

Ordered, That the said Report be taken in Consideration on Friday next.

Ordered, That a Message be prepared, to be sent to the Lieutenant-Governor, to desire that His Honour will be pleased to inform this House, whether he is restrained by Royal Instruction, from communicating to this House, any Representations which His Honour thinks proper to make to His Majesty, or his Ministry, relative to the Proceedings of this House.

THURSDAY, the 30th Day of August, 1770.

According to Order, the following Message was prepared, to sent to the Lieutenant-Governor, which being read a second Time, was agreed to.

May it please your Honour,

IN your Answer to our Message of the 22d Instant, your Honour was pleased to tell us, that you should think yourself guilty of the highest Presumption, Disrespect, and Breach of the Royal Trust and Confidence, were you, without the King's Permission, to lay before us any Letter you may have written upon that Subject. We must entreat Your Honour to inform this House, whether you are restrained by any Instruction, from acquainting the House with any Representation which you think fit to make to His Majesty, or his Ministers, relative to the Proceedings of this House. When Your Honour considers how inconsistent it is, with every Principle of Equity and Justice, and the Practice of all civilized Nations, that any one should be judged without being heard, or even knowing that he is accused, you will not think our humble Request unreasonable or importunate; but, that this House, from every Consideration of Duty to their King, Country, and themselves, ought to use every Means to prevail on their Gracious Sovereign to revoke such an unreasonable Instruction (if any such there be) especially, as every Governor may not be indued with Your Honour's Candour, Truth, and Love of the Country; and that even the best, not knowing the Reasons and Arguments which move the House in their Proceedings, cannot be able to represent the same so truly and justly as he would wish to do, and as the House could do, were they informed thereof.

By Order of the House,

Aug. 30th, 1770. PETER MANIGAULT, Speaker.

Ordered, That Mr. Drayton, and Mr. Cattell, do wait on the Lieutenant-Governor, with the Message.

Ordered, That Mr. Gadsden, and Mr. Charles Cotesworth Pinckney, do carry the Tax-Bill to the Council.

FRIDAY, the 31st Day of August, 1770.

A Message from the Lieutenant-Governor, by the Clerk of the Council, viz.

Mr. Speaker and Gentlemen,

IN Answer to your Message of Yesterday, desiring me to inform you, whether I am restrained by any Instruction, from acquainting your House, with any Representations I think fit to make to his Majesty, or his Ministers, relating to the Proceedings of your House; I inform you, that I have no such Instruction; but that Lord Charles Montagu communicated to me, the contents of a Letter which he had received from his Majesty's Secretary of State, commanding the Governor not to communicate, to the Council or Assembly, any Letter he may receive from the Secretary of State, without the King's Leave. As that Letter is not among those public Papers, which his Lordship left with me, at his Departure from this Province for England, I am uncertain how far it extends to the Correspondence carried on between the Secretary of State and the Governor, which, besides the confidential Nature of such Correspondence, confirms me in the Opinion, of the Impropriety of giving Copies as desired, without the Royal Leave. However, Gentlemen, I transmitted to the Right Hon. the Earl of Hillsborough, his Majesty's Principal Secretary of State for America, by the last Packet, Copies of your Message of the 22d Instant, and of my Answer thereto; and must wait the Royal Pleasure thereupon. And I shall also, transmit by the next Packet, a Copy of your present Message, with my Answer thereto. And we may rely safely on the Royal Goodness and Justice of our most gracious Sovereign, to revoke any Instruction whenever it appears unreasonable; founded on imperfect Representations, or Motives of Proceeding not fully understood.

You may be assured, I shall not consider any Request to me, as unreasonable or importunate, which is in my Power to comply with, and which is necessary to investigate Truth, and to obtain Justice. WILLIAM BULL.

August 31, 1770.

Then the House (according to Order) proceeded to take into Consideration the Report of the Committee, to whom His Majesty's additional Instruction, and the Lieutenant-Governor's Message relative thereto, were referred; and the said Report was read, Paragraph by Paragraph, for Debate.

The first Paragraph, being read a second Time, with an Amendment which was made thereto by the House, was agreed to.

Then the first, second and third Resolutions, being severally read, were agreed to.

The fourth Resolution being read, and a Debate arising thereon.

Ordered, That the further Consideration of the said Report be postponed, 'till Tuesday next.

Mr. Gadsden reported, that Mr. Charles Cotesworth Pinckney, and himself, had delivered the Tax-Bill to the Council.

TUESDAY, the 4th Day of September, 1770.

The House (according to Order) resumed the further Consideration the Report of the Committee, to whom His Majesty's additional Instruction, and the Lieutenant-Governor's Message, relative thereto, were referred.

And the said Report being read throughout, with the several Amendments which were made thereto by the House, were agreed to.

Ordered, That a Message be prepared, to be sent to His Hour the Lieutenant-Governor, with a Copy of the said Report.

WEDNESDAY, the 5th Day of Sept. 1770.

According to Order, the following Message was prepared to be sent to the Lieutenant-Governor, which being read a second Time, was agreed to.

May it please your Honour,

YOUR Message of the 15th of August, together with the additional Instruction accompanying the same, were referred to a Committee of this House, whose Report thereupon, as agreed to by the House, we now take the Liberty of laying before your Honour.

By Order of the House,

Sept. 5th, 1770. PETER MANIGAULT, Speaker.

Ordered, That Mr. Sheed, and Mr. John Huger, do wait on the Lieutenant-Governor, with the Message.

FRIDAY, the 7th Day of September, 1770.

Ordered, That a Message be prepared, to be sent to the Lieutenant-Governor, to inform His Honour, that, as His Majesty's Council hath rejected the Tax-Bill, and the Ordinance for appointing a Public-Treasurer, this House therefore cannot agree to come into any Measure which may increase the Public-Debts; or to incur an Expence, which may never be in their Power to defray; or to raise large Sums of Money upon the People, which, by Possibility, may come into unsafe and improper Hands; therefore to desire His Honour will give this House Leave to adjourn for six Months.

Accordingly, the following Message was prepared; which being read a second Time, was agreed to:

May it please your Honour,

THE Council having this Day informed the House, that they had rejected the Tax-Bill on the first Reading, because the House had inserted in the Estimate, a Sum to reimburse the Treasurer, for Money lent upon the Faith of the House; and that no Tax-Bill can pass, in which that Sum stands; and thereby, not only assumed to themselves, a Right to direct the House in what Manner they must frame the Tax-Bill, and under what Restrictions they may be permitted to grant the Money of their Constituents to His Majesty; and absolutely prevented the House from the Payment of a just Debt, which, neither Honour, nor common Honesty, will suffer the House to leave unpaid. And, as the Council have also rejected the Ordinance for appointing a Public-Treasurer, and thereby subjected the People's Money to fall into improper Hands, as none can say who may be appointed by Your Honour's Successors: The House cannot agre to come into a Measure which may increase the Public Debts, or to incur an Expence, which it may never be in their Power to defray; or to raise large Sums of Money upon the People, which, by Possibility, may come into unsafe and improper Hands: We humbly desire, that Your Honour will give this House Leave to adjourn for six Months, to attend our private Affairs, as we are in no Hopes that our Attendance here, will at present, be of any Benefit to the Public.

By Order of the House,

Sept. 7th, 1770. PETER MANIGAULT, Speaker.

Ordered, That Col. Laurens, and Mr. Bee, do wait on the Lieutenant-Governor, with the Message.

SATURDAY, the 8th Day of September, 1770.

MESSAGE from the Lieutenant-Governor, by the Clerk of the Council:

Mr. Speaker and Gentlemen,

I AM sorry to learn by your Message of Yesterday, that there is no Prospect of doing any Business during this Sitting of the General Assembly. Before I put an End to it, I think proper to acquaint you, that I shall transmit to His Majesty's Principal Secretary of State, to be laid before the King, a Copy of your Resolutions, relative to His Majesty's last additional Instruction. Altho' this Matter is submitted to the Royal Consideration, I cannot forbear to observe, that whatever injurious Suspicions are entertained, or Censures intended, which must impress Concern on an Heart of the least Sensibility, tho' greatly alleviated by a Conciousness of being unmerited, I most chearfully trust to my Actions, and not to Words, to determine whether I am a faithful Servant to the King, and a real and zealous Friend to this Province, which, in my Mind, are always inseparable.

Sept. 8, 1770. *WILLIAM BULL.*

SPEECH of the Lieutenant-Governor.

Honourable Gentlemen of His Majesty's Council,
Mr. Speaker, and Gentlemen of the Assembly,

WE are now come to the End of the fourth Week, since the General Assembly have been sitting, and I cannot but express my Concern, for the Sake of the Province, that none of the beneficial or necessary Matters which were recommended to your Consideration, have been brought to an happy Conclusion. I think it needless to continue you longer sitting at present, and therefore, I prorogue the General Assembly to Tuesday the 16th Day of January next, and the General Assembly is accordingly prorogued to that Time.

CHARLES-TOWN, SEPTEMBER 22.

WE hear, that a new Commission has been made out, appointing Henry Peronneau, Esq; to continue Public Treasurer of this Province, until the next Meeting of the General Assembly, which stands prorogued to Tuesday the 16th Day of January next.

During the late Sitting of the General Assembly, an Ordinance was brought into the Commons House, for appointing Benjamin Dart, Esq; Public Treasurer; which was sent to His Majesty's Council, after having gone through the usual Forms: The Council altered the same, for appointing Henry Peronneau and Benjamin Dart, Esqrs. which Amendment not being agreed to, is said to have occasioned its Rejection.

Last Tuesday put into this Port, the Sloop Charming Polly, Erasmus Hanlon Master, of and from Cape-Fear, bound for Philadelphia.

Timothy's Pazine List.

Sept.	Arrivals at Charles-Town,	*From*
7th.	Brigt. Porgy, Jeremiah Bassett,	Honduras
8th.	Sloop Nancy, George Ball,	Antigua
9th.	Ship Live Oak, Andrew Lundberry,	Bristol
	Scooner Sally, Benjamin Knight,	Salem
10th.	Sloop Sally, Purnell Johnson,	Philadelphia
11th.	Sloop Charming Polly, Erasmus Hanson,	Cape-Fear
12th.	Sloop Sapelo, James Aitken,	Antigua
13th.	Scooner Defiance, Thomas Mulford,	Cape-Fear
Sept.	Sailed.	*For*
7th.	Sloop Hope, William Tanner,	Rhode-Island
8th.	Scooner Expedition, John Doran,	St. Augustine
	Sloop Good-Intent, William Mackenzie,	Georgia
	Scooner Charming Jenny, George Pitt,	Beaufort
9th.	A Foreign Brigantine,	Campeachy
	Sloop Sooky and Nancy, Thomas Newbold,	Antigua
	A Foreign Sloop,	Campeachy
10th.	Ship Friendship, James Cowan,	Lisbon
	Ship Peter & Ann, Thomas Blundell,	Jamaica
	Sloop Sally, Jesse Hunt,	New-York
	Remain windbound or cleared.	*For*
	Ship Nancy, George Jordan,	Lisbon
	Snow Eagle (*Packet Boat*) Capt. W. Nicholls,	Falmouth
	Scooner Brooton Island, Peter Bachop,	St. Augustine
	Scooner Elizabeth, Samuel Johnston,	Jamaica
	Sloop Charming Polly, Erasmus Hanson,	Philadelphia
	May sail between this and our next.	
	Brigt. Hercules, John Hatter,	Dominica
	Ship Charming Sally, George Fortune,	Cowes
	Sloop Hawke, Charles Henry,	Montserrat
	Sloop Success, Samuel Bush,	Philadelphia
	Sloop Ranger, Horace Wood,	St. Christopher
	Sloop Liberty, Thomas Hammond,	St. Augustine
	Other Vessels in Port.	
	Ship Charming Sally, Peter Rainier,	
	Ship Diana, Joseph Morris,	
	Scooner Sally, Thomas Tucker,	
	Scooner Wren, Charles Young,	
	Scooner Eagle,	
	Scooner Two Josephs, William Thompson,	
	Sloop William & Mary, John Hall,	

LONDON, JULY 11.

HIS Majesty in council was this day pleased to order, that the parliament, which stands prorogued to Thursday, the 19th of this instant July, should be further prorogued to Tuesday, the 25th day of September next.

The visit of the Duke of Grafton to Earl Temple, occasions various speculations. Some think it implies a resolution in the Duke to quit the present ministry. Others think he is carrying on a negociation to form a coalition of the Grenville family with them; in which case the Rockingham party will be left to shift for themselves.

A treaty of alliance between the courts of Madrid, Versailles, and the States-General, is finally concluded.

JOHN POWNALL and WILLIAM KNOX, Esqrs. are appointed joint-under-secretaries of state to the Earl of Hillsborough.

JULY 12.

Yesterday morning came on at Guildhall, the election of a member of parliament for the city of London, in the room of the Right Hon. William Beckford, deceased. The Livery in the Hall were very numerous. The Lord Mayor did not attend, and the only aldermen present were the sheriffs Townsend and Sawbridge, Sir William Stephenson, Mr. Wilkes, and Mr. Oliver. At a quarter of an hour before twelve, Mr. Richard Oliver came on the hustings, and was saluted by the chearful shouts of every one present. The court of hustings for the election was opened by the sheriffs, with the usual proclamations, at one minute before twelve. After which the writ was read by the secondary. The sheriffs were then sworn, and the act of 28 George II. was read by the secondary. These ceremonies being ended, the secondary, according to custom, proposed severally each of the aldermen who are not members of parliament, which gave an opportunity to the livery to distinguish their friends from their foes, by their different reception. The aldermen whose names were favourably received, were Sir Charles Asgill, Mr. Bridgen, and Sir William Stephenson. The following were received without any marks of censure or applause, Sir Robert Kite, Mr. Peers, Mr. Kirkman, and Mr. Bird. Hisses were very plentifully bestowed on Mr. Alsop, Mr. Turner, Mr. Halifax, Mr. Shakespeare, Sir James Esdaile, Mr. Kennet, Mr. Plumb; but the groans and howls which issued at the names of Sir Henry Bankes, Mr. Nash, and Mr. Rossiter, can be expressed no where but in Guildhall, nor imagined by any persons who have not heard them. Sir Robert Ladbroke, Sir Richard Glyn, Mr. Harley, Mr. Trecothick, Mr. Crosby, and the two sheriffs Townsend and Sawbridge, being in parliament, were not nominated; and the secondary read a paper, which he received from Mr. Wilkes, in these words:—'Mr. Alderman Wilkes gives 'this notice to the secondary, that he considers himself as one of 'the legal members for the county of Middlesex, and therefore 'that he will not suffer his name to be in the list of those alder-'men, who, according to custom, are put in nomination as 'candidates to represent the city of London in parliament.' At the reading of this paper there was a long continued shout. At length the secondary read the nomination of Richard Oliver, Esq; citizen and draper, which was signed by John Skeye, Esq; and Mr. George Bellas. Every hand in the hall was held up for Mr. Oliver, and as soon as the acclamations ceased, and silence could once more be obtained, Mr. Oliver was declared by the sheriffs to be duly elected representative for the city of London. The acclamations were then repeated, after which Mr. Oliver came forward, and addressed the livery in the following words:

"*Favoured as I have been, and now honoured by you, gentlemen of the livery, my words cannot sufficiently express my sentiments of gratitude for your early, and as yet unmerited confidence reposed in me, by the choice you have unanimously made of me as your representative in parliament. To your general and warm support, it is owing that I have not had an opponent; and this circumstance is most pleasing to me, because it proves that*

spirit is not to be influenced or over-ruled, whenever you prefer to unite in the free exercise of your rights.

I wish, gentlemen, that I had already given you any proofs I shall not abuse the trust you have placed in me; but as I am not yet sat in parliament, accept my assurances at present, I will ever consider myself as deputed by you for your benefit, not for my own advantage; that as, in the course of my life I never have received or desired, so, whether I have the honour to continue an alderman and representative of this city, or not, I never will accept, directly or indirectly, either place, pension, emolument, contract, or gratification of any kind whatever, from the crown or its ministers. My sole motives of public conduct, shall be the advancement of the public welfare, and the reasonable honest hope of your approbation, free from every other influence or consideration. I shall be obedient to the instructions you have a right to give to the servants you appoint. I will contribute my share in any manner to render justice to the freeholders of Middlesex, and in them to all the other counties and boroughs in Great-Britain, for the injury they have all received by being unlawfully and most dangerously deprived of a representative in parliament, who has been duly and repeatedly elected by those who alone have, and ought to have the right of election. I am confident, gentlemen, that your only security against the abuse of that power, which you intrust to your representatives, must be a frequent appeal to you by shortening the duration of parliament: By an effective, not a nugatory place and pension bill: By an adequate and true representation throughout the kingdom. For either, and all of these securities to the people, my vote shall most chearfully be given, and my endeavours most strenuously employed whenever the happy time comes (and through the persevering virtue of you, my fellow-citizens it must come) that these essential points can be obtained.—I will use my utmost endeavours to remove the just complaints of America, which operate to your present disadvantage in a commercial connexion, as well as in a political view; for the same system of injustice and despotism, if established against the Americans, will be exercised towards you; and the principles of fair government forbid that they should be taxed without representation, as much as that the people of this country should pay taxes to which, or to the countenance of which they have not consented.

" *I will endeavour, gentlemen, to the utmost of my abilities, to act up to the station in which you have placed me. My life will be happily employed, if I shall ever be able to render your services in any measure equal to those of your late much-lamented representative, whose memory will be dear to me, as it is to every good citizen; but though I should fail in these wishes, I can at least promise you in full confidence, that I will equal him in the integrity of his heart, and in the independance of his spirit.*"

This is supposed to be the first time that ever a *new* member was elected for London without opposition. The livery were exceedingly judicious in the different proportions of censure and applause which they bestowed on their aldermen, and appear to be well informed of their public conduct. Many ladies were in the galleries to see the ceremony. During the forms of election many notes and messages passed between the sheriffs and the Lord Mayor, who did not attend. The Lord Mayor had appointed one o'clock for the election to come on—but forgot to give any notice to the sheriffs, or to the candidate; the omission of which common act of politeness by the Lord Mayor, prevented the candidate, it is supposed, from giving notice of the time in his advertisement to the livery; by which means many of the livery attended so early as ten o'clock. Some have attributed this conduct of the Lord Mayor to the advice of his friend Mr. Recorder, whose opinions and directions he is known to pay the greatest regard to; but it cannot be supposed that Mr. Recorder should be so ignorant as not to know that the election for members differs from the other elections in the city, by express act of parliament, and belongs solely to the sheriffs; besides, had it been otherwise, the Lord Mayor should have given notice to the sheriffs, that they might know when to attend him: It is therefore candid to suppose, that Mr. Trecothick was only guilty of mistake and inattention.

Yesterday a council was held at the Cockpit, at which the great officers of state assisted; the subject under consideration, is said to have been the affairs of the Colonies.

Yesterday the Earl of Hillsborough, as Secretary of State for the Colonies, had a grand levee at his house in Hanover-Square, at which the Colony Governors, Agents, and several West-India Merchants attended.

On the breaking up of the Council yesterday at St. James's, his Majesty had a long conference with the Lords North, Weymouth, Hillsborough, and Sandwich, after which he returned to Richmond.

We hear that the Earl of Chatham has declared he will join no Administration without the concurrence of the Duke of Richmond, Earl Temple, and Lord Camden.

It is said that the Earl of Northington has refused the Seals, but strongly recommended the restoration of Lord Camden.

It is whispered, that lenitives have been hit upon to divert the attention of the subjects of Britain from opposition to the measures of administration, as a means to make the favourite schemes of government pass, and to continue in office its favourite servants for the carrying them into execution.

The Prime-Minister was so much taken up with parliamentary business during the Winter, that he was necessitated to omit doing a great deal of official business, which is the true reason of the many councils and boards that have been held for some time past, his Lordship having declared, that he is determined to dispatch all the business that was neglected during the session, with the greatest expedition.

The Lords of the Admiralty have appointed James Gambier, Esq; to be commander in chief of his Majesty's ships and vessels in North-America, in the room of Samuel Hood, Esq.

A correspondent asks, if there can be a greater proof of the unfitness of the present administration, than the universal dissatisfaction of the British empire, from the metropolis to its utmost limits.

We hear that Lord Chatham's health is completely re-established; and that he will soon occupy some important post in the administration.

It is now strongly reported that the Earl of Rochford has been earnestly solicited to go to Ireland as Lord Lieutenant, and that in order to induce him thereto, he was promised that the salary of that high office should be raised from 16,000l. to 20,000l. per annum.

The ministry have rewarded their tool. Col. Luttrell has got the reversion of Lord Belvedere's place in Ireland, which is muster-master general of the forces there.

JULY 14.

His Majesty hath been graciously pleased to direct, that the island of Dominica should be erected into a government separate from, and independent of, the general government of the Southern Charibbe Islands, of which it before made a part: And to appoint Sir William Young, Bart. to be Captain General and Governor in chief of the said island of Dominica. [*Lon. Gaz.*]

Yesterday morning Lord Chatham came to town from Hayes, and attended his Majesty at St. James's.

Lord Mansfield had a long conference with his Majesty on Thursday last. Lord Grosvenor was at the levee yesterday.

It has been calculated, that Great-Britain sustains a loss of 1900 guineas per day, exclusive of government duties, while this nation continues at variance with her American colonies.

The following is the Address of RICHARD OLIVER, *Esq; to the worthy Livery of the City of* LONDON, *on his Election:*

GENTLEMEN,

" When first I offered myself from the hustings a candidate to represent you in parliament, I took care to express very clearly my sentiments of those men and measures, which for some years past have made this nation contemptible abroad, and unhappy at home; and I did it as well to make known my own principles, as to give the city of London an opportunity to manifest their opinion by their ensuing election, whether their choice should be fixed on me, or on some other candidate of a different complexion.

" The calm and deliberate sense of a people can never so well be discovered as in the free exercise of their constitution rights; and if that shall still continue to be termed factious and seditious; if a set of desperate and ill designing men will persist to act in opposition to that sense almost universally declared; if nothing is to pass for loyalty but absolute submission and a surrender of every right of the subject, I know not by what peaceable argument they will be persuaded.

" An endless discussion of grievances so notorious, and of mal-administration so flagrant, as those which are the foundation of our present complaints, can only be useful to the persons who mean the continuance of those evils; the danger of our situation is sufficiently conspicuous without it; for if by the means of an enormous boundless civil list without account, and a formidable standing army, the ministers of the crown are powerful enough to continue, with impunity, to act directly contrary to the united outcries of the subjects in every part of the British dominions, to slight their petitions, and add insult to contempt; even he, who thinks their petitions ill-founded, must yet be convinced that the people have lost all power of redress or controul, even when their complaints shall be well-founded; and it is the possession or want of this power, which alone constitutes the difference between freemen and slaves. It was to preserve this power to the people that all those forms and regulations, which we term the constitution, were established. Hence juries and representation for the private and public disposal of life and property, because the people can never safely trust themselves in any hands but their own. The change of times and circumstances has considerably weakened these two great barriers of our security, and thereby afforded an opportunity for the present attempt to take away the reality of both. I think it therefore my duty, as your faithful representative, to endeavour to obtain a true representation of the people, a shorter duration of parliaments, and an effectual exclusion of placemen and pensioners from the house of commons. The regular and uniform difference of conduct so observable between those who receive or expect the wages of government, and those who do not, makes it necessary for you to exact from your representatives, and for me to promise, that whether I have or have not the honour to continue your member, I never will accept, directly or indirectly, either place, pension, contract, emolument, or gratification of any kind whatever, from the crown, or its ministers. This solemn declaration, gentlemen, I offered you instead of thanks; and I am firmly persuaded, that a conduct corresponding with it will be the most grateful return I can make for the honour I have received by your trust and confidence.

I am &c."

JULY 17.

It is said the present ministry greatly oppose the plan of accommodation offered by the Earl of Northington.

The appointment of a Lord Chancellor, in a very short time, is now talked of with the greatest confidence; as it is now become not only a measure of inclination, but of necessity also, as the necessary attendance on the Seals interferes too much with the business of the Lords Commissioners in the other courts of justice.

It is whispered that two unpopular great men, on account of the expected political changes, will find it very expedient to change the air of this country for that of the continent.

The only excuse offered by the ministry for the delay of bringing the American affairs to a conclusion, was, that they wanted proper *information*. That business is become too desperate now to admit of so shallow a pretence. The last accounts from thence confirm this sufficiently; and it is a melancholly truth, that the dispute which might have some time ago been terminated by fair words, can only be now effected by injustice and open force.

We are told that the first step in the above affair will be to order over two merchants from America, of credit and character, in order to learn the true state of affairs from them upon oath.

Other accounts say, that a respectable deputation will be immediately sent to America, to make a strict enquiry into every particular complained of, and report the same; which report will be compared with other accounts, and measures taken accordingly.

The marching of the King of Prussia's troops has occasioned great speculation on the continent. It is thought he is determined to annex Hamburgh, Dantzick, and a certain *electorate* to his other dominions.

The salary of each of the Lords Commissioners of the Great Seal, is 30l. per diem, every day that the court of Chancery sits, besides fees and perquisites of office.

Mr. *Alderman Oliver* is the intimate friend of Mr. *Wilkes*, and used regularly to dine with him every Monday at the King's bench.

JULY 19.

Yesterday morning about nine o'clock, came on before Lord Mansfield, and a special jury, the trial of Mr. Miller, for republishing Junius's letter to the King in December last, in the London Evening Post. Only seven of the special jury attending, the defendant's attorney Mr. Beardmore complained to the court of the summonses for the special jury not being finished in proper time; and that to his certain knowledge no summonses were delivered Tuesday at twelve o'clock. The court allowed the complaint to be just, but took no further notice of it. Five talesmen of common jurors were taken out of the box.

Mr. Thurloe, the Sollicitor-General, who IS NOT ILL, aggravated the charge in a very bitter speech, applying the passages of the letter, directly contrary to the obvious and express intention of the author, to the King personally. He attempted to vindicate Lord Townshend's government in Ireland, the conduct of the administration with regard to America, their refusal to listen to the complaints made by the people of England; and repeatedly said, that such charges as the paper contained, were charges against the King, upon whom the paper was, in his opinion, a scandalous, malicious, and seditious libel; and concluded with a menace of perjury to the jury, if they did not bring in the Defendant guilty.

Mr. Serjeant Glynn rose as Counsel for the defendant; he began with declaring, that as to what the learned counsel had said, that no lawyer could seriously defend the paper, he had been counsel for the defendants in the former trials, when he had seriously, and did now most seriously and solemnly defend the paper, which he could not consider as a libel on the person of the King; that the charge in the informntion was a general charge, he had therefore gone generally upon the subject matter of it in his speeches; that particular passages had now been pointed out, which, in his opinion, made most strongly for his client, as they certainly reflected honour on the private character of the King, whose personal virtues were uniformly acknowledged, and particularly enforced throughout the paper; that it was commonly accidental to all princes to be surrounded by flatterers and bad ministers, who prevented the truth from coming to the throne; the paper, he said, was written with a glow of warmth, and what appeared as most violent, was but the effects of the writer's fears of what might happen from a continuation of the then measures of government; both the writer and the publishers thereof had but obeyed their duty, as good citizens and subjects, to warn their neighbours of their danger, by the open and free publication of the author's opinion—he did not complain himself of the non-attendance of the special jury, it was sufficient for him that the jury were composed of citizens of London, who would, he doubted not, properly consider their own power and authority; who would join with him, that in this, as well as in all criminal causes, it was necessary that some proof of a malignant mind, and wicked intention should be given; it did not matter what others had asserted, juries were, in his mind, judges of LAW as well as FACT; they were in times of danger the asylum of the people,—the accustomed refuge for them to fly to; they had been so formerly, and might be so again: he urged the importance of the present case, and hoped they would fully exercise their power as constitutional judges, and give a simple, intelligible, and explicit verdict; by doing otherwise, he declared they would desert their duty, and betray the trust reposed in them; his learned opponent had LABOURED hard to convince the jury the letter was libellous; but as the innuendoes in the information had not been proved, they being taken away, the information amounted to nothing criminal; he therefore sat down assured, that the jury upon reading the letter, carefully, upon judging deliberately and candidly considering the whole state of the case, would acquit the defendant.

Mr. Davenport, the other counsel for Mr. Miller, spoke next; he said he totally coincided with the sentiments of the learned Serjeant, but he had hoped, the counsel on the other side would, in their arguments, have defined the nature of a libel; that he should have been instructed what in their opinion was or was not libellous; he declared the giving the Attorney General power discretionally to file informations against the subject, was an enormous encroachment on the liberty of the people, and ought to have died with the star-chamber; that at present, when the Attorney General, out of the luxuriancy of his fancy, or the intemperance of his zeal, thought proper, he might file these informations, for the most trifling causes; that in the instance before them, had there been a necessity for prosecution, the mode should have been the customary one, by indictment, which would have come under the cognizance of the grand jury, and they would have proceeded by affidavit, &c. but that the prosecutions now carrying on, seemed totally unwarrantable, and without any just authority; he said, it was customary for a bad minister to screen himself under the wing of majesty, from whence Junius's letter had justly drawn him; he next cited the case of the seven bishops, and concluded his speech with declaring his expectations, that the jury would, if they acted according to the real dictates of their consciences, acquit his client.

The Sollicitor General in his reply, endeavoured to overthrow the arguments used by the Serjeant and Mr. Davenport, the defendant's counsel; he declared, that the prosecution then trying before the court, was filed, according to law, and according to custom, officially by the attorney general, a man of great abilities and strict HONOUR; that the act of parliament authorising such practice was made since the revolution, and that therefore the attorney general had acted according to a law formally and regularly instituted; he then recapitulated his speech in the opening of the trial, repeating the sentences that he had called obnoxious, declaring that he had before ingenuously stated them, and that as he could not alter his opinion of the whole being highly libellous of the King personally, he hoped they would bring the defendant in GUILTY.

Lord Mansfield's charge to the jury was certainly an ingenious one, as his lordship delivered a doctrine totally new (at least it appeared so to us) he told them that the fact of publication was one and a material point under their consideration, and the TENOR of the information was the other, that the words scandalous, seditious, &c. were inferences of law drawn from the subject matter of the information, and were not under their cognizance; that if they thought the publication proved, and agreed to the TENOR of the paper as put on it in the information, viz. that the blanks were properly filled up, they would do right to find a general verdict, and bring him in *Guilty*, that by so doing they would not make the libel, as, if the law did not find it libellous, judgment would not pass upon it.

At ten minutes after twelve the jury went out, and between seven and eight o'clock brought in their verdict, NOT GUILTY.

As soon as the jury were locked up, the trial of Mr. Baldwin for reprinting the same paper in the St. James's Chronicle, came on; Mr. Walker opened the case, Mr. Sollicitor spoke after him. He began with saying, that the case was plain, and plain, that from conversation alone he had been able to learn that the paper in question was a libel. For sometime afterwards he indulged himself in a loose and general discourse: At length he pointed out the particular obnoxious passages. When he came to that in which Lord Townshend is mentioned, he affirmed that he was an honest man, a generous man, a brave man, an officer; that he had lived and conversed with him, and knew him well. After enlarging a good deal upon the superior criminality of defaming the first character in the kingdom than that of a plebeian, he affirmed that no man could have any scruple doubts about the matter; that it was a libel PRIMA FACIE, and the jury must and would find the defendant guilty of printing and publishing a libel.

The Solicitor having ended his harangue, two witnesses were examined to prove the buying of the paper. After this examination, Serjeant Glynn arose, and explained his conduct in Simmon's affair, and refuted almost every argument that Mr. Sollicitor had advanced on the subject. His address to the jury in regard to their verdict seemed like an antidote to the poison was presently to be infused into their minds.

Lord Mansfield now rose up to give his directions to the jury. " If you find him guilty (says he) your verdict establishes " fact. If you do not think it a libel, he may move an arrest " judgment. The epithets, false, scandalous, and malicious " at present all words of course. If the writing be found, and " they are inferences of law. If you think it a libel, and the " evidence sufficient, you must bring him in guilty."

The jury were unanimous in their verdict on this trial, their whole consideration was the criminal intention of the letter: They withdrew about three, and returned a little after, finding the defendant NOT GUILTY.

We are assured, that when the jury in the above cause went with their verdict upon Lord Mansfield, in Bloomsbury Square, his lordship received them with smiles of the greatest complacency, it being well known, that when any person is tried before his lordship, he has the UTMOST PLEASURE in finding him innocent.

The two verdicts given yesterday in favour of the printer of Junius's letter to the King, has greatly disappointed the ministry.

The glorious twelve jurors---was the toast last night at both ends of the town.

CHARLES-TOWN: Printed by P. TIMOT